

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application	
Inventor(s):	Mudita Jain et al.
Appl. No.:	09/730,489
Confirm. No.:	8169
Filed:	December 5, 2000
Title:	METHOD AND DEVICE UTILIZING POLYMORPHIC DATA IN E-COMMERCE
Art Unit:	3624
Examiner:	Jeffrey C. Pwu
Customer No.	22470

SECOND INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner of Patents
Washington, DC 20231

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98. Copies are not submitted of documents previously submitted by the applicant in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d)(1), with an information disclosure statement submitted in the parent application which complies with the Sept. 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c). If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).
- ☐ *PTA Statement under 37 C.F.R. §704(d).* Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

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This statement should be considered because:

☒ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

☐ **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

- (1) It is being filed before the mailing date of a FINAL office action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.
-- AND (check at least one of the following) --
☐ (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --
☐ (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

☐ **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

- (1) It is being filed on or before payment of the issue fee;
-- AND --
- (2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --
- (3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge underpayment of any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-0869. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

HAYNES BEFFEL & WOLFELD LLP

Date: 22 July 2002

By: Ernest J. Beffel
Ernest J. Beffel, Reg. No. 43,489

HAYNES BEFFEL & WOLFELD LLP
P.O. Box 366
Half Moon Bay, CA 94019
Telephone: 650-712-0340
Facsimile: 650-712-0263

Please type a plus sign (+) inside this box → ☐

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Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	09/730,489
				Filing Date	December 5, 2000
				First Named Inventor	Mudita Jain
				Group Art Unit	3624
				Examiner Name	Jeffrey C. Pwu
				Attorney Docket Number	CMRC 1003-1
Sheet	2	of	2		

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	F. BERGERON and L. RAYMOND, "Managing EDI for corporate advantage: A longitudinal study," Information & Management, 31, 1997, pp. 319-333, Elsevier.	
	C2	ROBERT J. BONOMETTI, RAYMOND W. SMITH, and PATRICK E. WHITE, "The Walls Coming Down: Interoperability Opens the Electronic City," The Future of the Electronic Marketplace, The MIT Press, Cambridge, Massachusetts, 1998, pp. 265-301.	
	C3	RICHARD BORT and GERALD R. BIELFELDT, "EDI on the Internet," Handbook of EDI, 1997, pp. B7-1 - B7-19, Warren, Gorham & Lamont, USA.	
	C4	ISABEL GALLEG0, JAIME DELGADO, and JOSÉ J. ACEBRÓN, "Distributed Models for Brokerage on Electronic Commerce," TREC'98, LINC5 1402, 1998, pp. 129-140, Springer-Verlag Berlin Heidelberg.	
	C5	JOHN J. GARGUILO and PAUL MARKOVITZ, "Guidelines for the Evaluation of Electronic data Interchange Products," DRAFT - Technical Report CAML/CLS, December 6, 1995, Gaithersburg, MD, USA.	
	C6	SHIKHAR GHOSH, "Making Business Sense of the Internet," Harvard Business Review, March-April 1998, pp. 126-135.	
	C7	LI-PHENG KHOO, SHU BENG TOR, and STEPHEN S. G. LEE, "The Potential of Intelligent Software Agents in the World Wide Web in Automating Part Procurement," International Journal of Purchasing and Materials Management, January 1998, pp. 46-52.	
	C8	FREDERICK J. RIGGINS and HYEUN-SUK (SUE) RHEE, "Toward a Unified View of Electronic Commerce," Communications of the ACM, October 1998, Vol. 41, No. 10, pp. 88-95.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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